



Att. Dkt. No. 053466-0296

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Tadamitsu KISHIMOTO, et al.  
Title: CHRONIC RHEUMATOID ARTHRITIS THERAPY CONTAINING IL-6  
ANTAGONIST AS EFFECTIVE COMPONENT  
Appl. No.: 09/756,125  
Filing Date: 01/09/2001  
Examiner: G. Ewoldt  
Art Unit: 1644

**NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD  
OF PATENT APPEALS AND INTERFERENCES**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner in the Final Office Action dated January 2, 2004, and in the Advisory Action dated May 7, 2004, finally rejecting Claims 9, 11-14, 16-18.

- ☐ Applicant claims small entity status.
- ☒ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:
- ☒ Notice of Appeal Fee
- ☒ To be paid as detailed below
- ☐ Not required (Fee paid in prior appeal)

07/06/2004 SDIRETA1 00000179 09756125

01 FC:1401 330.00 OF  
02 FC:1253 330.00 OF

The required fees are calculated below:

<input checked="" type="checkbox"/>	Notice of Appeal Fee	\$330.00
<input checked="" type="checkbox"/>	Extension for response filed within the third month:	\$950.00
<input checked="" type="checkbox"/>	Extension Already Obtained for second month:	\$420.00
	FEE TOTAL:	\$860.00
<input type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):	\$0.00
	TOTAL FEE:	\$860.00

☐ Please charge Deposit Account No. 19-0741 in the amount of \$860.00 . A duplicate copy of this transmittal is enclosed.

☒ A check in the amount of \$860.00 is enclosed.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date July 2, 2004  
 FOLEY & LARDNER LLP  
 Customer Number: 22428  
 Telephone: (202) 672-5569  
 Facsimile: (202) 672-5399

By Jayne A. Heleath  
 for Stephen B. Maebius Reg. No. 34,485  
 Attorney for Applicant  
 Registration No. 35,264